

Parliament

A N
A N S W E R

To sundry Matters contain'd in
Mr. H U N T 'S Postscript,

To His

*Argument, For the Bishops Right in judging in
Capital Causes in PARLIAMENT.*

V I Z.

1. As to his publishing a scandalous LETTER of the Clergy.
2. As to his wrongfully charging His Majesty with a neglect of the L A W, if he call'd not a Parliament once a year.
3. As to his false Affirmations, that the Succession of the C R O W N is the Peoples Right; and that not only the Line of Succession, but Monarchy it self may be alter'd.

Whereunto is added

A Query to be put to the Scrupulous and Dissenting Brotherhood.

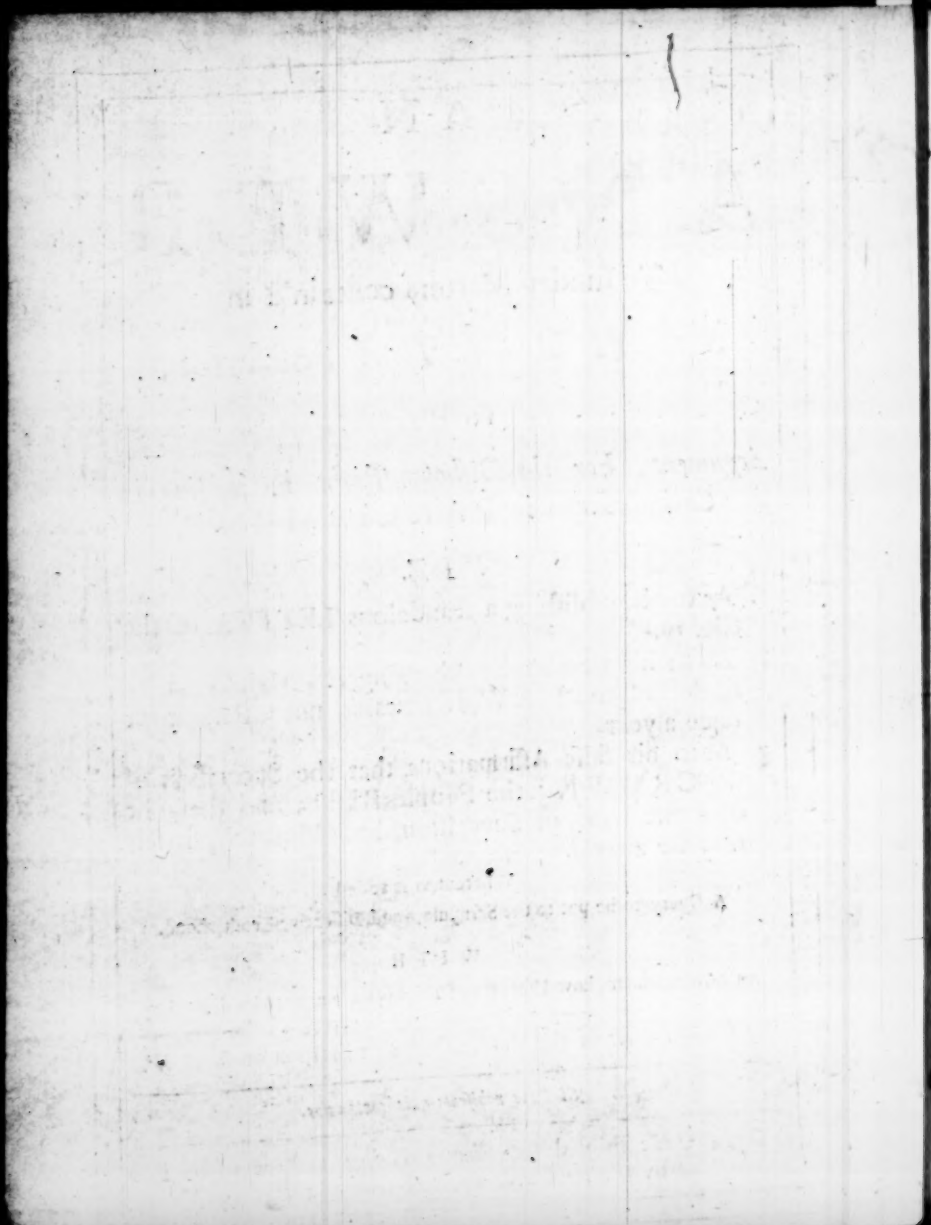
W I T H

An Advertisement, how Usurpers of the Crown, ought to be dealt with,

By *W^a. Williams* of the Middle Temple, a Barrister at L A W.

Si Deus nobiscum quis contra nos.

L O N D O N: Printed for *Charles Harper*, and are to be sold
by *Walter Davis* at *Amen-Corner*, 1682.



A POSTSCRIPT Anteposited.

SIR,

I Had a long time since framed this ensuing Answer to your most celebrated Postscript, but having done it, the consideration of the wise Kings Advice, Answer not a Fool, and Answer a Fool, wrought such a Conflict within me, as hindred my sending it ; until of late I found by your weak Defence of the Charter, that you were become wise in your own Conceit ; Therefore to indeavour to ~~show~~ that Distemper in your self, and to undeceive such as may be infected with ~~yo~~^{ur} State-Hereſie , I at length Resolved to send it, in hopes it may effect your and their Reformation, which is desired by

W. W.

A POSTSCRIPT: Antepöstet.

T O

THOMAS HUNT, Esq;

S I R,

HAVING occasion lately to pass through several parts of the Kingdom, and in my Journeys, discoursing with several Gentlemen, that had been Members of the Honourable House of Commons, in some of our late Parliaments, concerning the late Bill of Exclusion of His Royal Highness from the Succession of the Crown; I found some of them, who once had no great opinion, neither of the necessity, nor honesty of that Bill, begin to entertain some favourable thoughts of it; and that which induc'd them to it, as I was inform'd, was the powerful Arguments they met with in a very ingenious Piece (as they term'd it) call'd Mr. *Hunt's* Postscript, which was in great plenty very industriously dispersed about by some *New-trine-Protestants*, and magnified by them equally with, if not above the Scriptures.

This great Character, and the mighty Effects it had wrought, set my Curiosity upon enquiry after this sublime Fabrick of Politicks, but having found it; I must tell you without Complement, it proved a mere heap of confused scandalous Rubbish, situate like the Firebrands in the Tails of *Sampson's* Foxes, tacked to the hinder end of a plausible thing, *viz.* Your Argument for the Bishops Right, &c. Your self suspecting (as I guess by the matter of it) that it had never found the way into our standing

Corn, without the help of some such Fox-like trick; it being stuffed with nothing but Railings, false Recitals of Scripture History, Fallacies and Chicaneries; which in plain English, are nothing but subtle impertinent quirks and quilllets.

First, you act the slanderer by Proxie, and as I apprehend it, you feign a Letter from a Friend, containing very scandalous things of the Clergie; amongst the rest, *page* the 2d. belying them, that they are all for a Popish Successor, and no Parliament, and that they do as much as in them lies, give up our ancient Government, the Protestant Religion, the true Christian Faith, to the absolute will of a Popish Successor; wherein you have done extreamly ill, notwithstanding, you have declared your own opinion, that you believe that there are but few of them guilty of that charge; for your supposed Letter hath deeply wounded their Reputation with the credulous People, and given them too great an occasion to hunt after Conventicles in search for, supposed more Godly Teachers; and I dare affirm it, that your declaring your own opinion of them, is but a very ineffectual Plaister for their broken Heads, Whether you could have Argued better for them or not, I cannot say; but if you could not, your inability will no more excuse you, than it did the young Conjuror that raised the Devil, but could not lay him; and though you would father the Lye upon another, I conceive however, that you have committed an Offence against the Statutes of *Westminster*, the first and the 2d. of R. 2. Touching Reporters of false News, whereby slander may arise to the Bishops of this Realm, for by Clergy is understood the Bishops, as well as the inferiour Ministers: your Friends tale being the most scandalous thing that could have been invented, and most likely to make the People hate all the Orthodox and Conformable Clergie in the Nation; for which I wish you your condign Punishment.

Another

Another matter, you have taken great pains in *page 29.* of the Postscript, and thereabouts, is to represent to the World, a Statute as in force, which is Repealed, and by Colour thereof, you take the freedom to asperse even His Majesty himself; for you say that by the Statutes of *Edward* the 3d. Parliaments are to be holden every Year; and that the Statute of this King requires a Parliament every three Years; which as you say, being an affirmatory Law, doth not derogate from those of *Edward* the 3d. And you say farther, that if the King doth not call a Parliament once a Year, He neglects those Laws, and if he delays calling a Parliament in three Years, He neglects the other Law of His own time.

This renders you an audacious man, that dares thus openly and bare-faced Libel your Prince; but it will never give you the Reputation of a great Lawyer, a good Logician, nor a dutiful Subject; for this Argument of yours, is as gross a Solecism, and non-consequence as any Sophister, (to render it more intelligible) any Deceiver ever yet attempted to cheat the World with. And to Demonstrate it so, consider with your self, If I should make you a Lease of a House at the Rent of Twenty pound payable Yearly, and afterwards should make you another Lease of the same House at Twenty pounds payable once in Three Years; would not you say that this last Lease did disanul and make void the first Lease, the making and accepting of a new Lease, being a surrender in Law of the old one: and whereas by the first Lease you were to pay Twenty pound every Year, would you not then think your self obliged to pay your Twenty pound but once in three Years? I dare say you would; however, you may pay Twenty pound every Year if you will, notwithstanding the new Lease; and so may the King call a Parliament once every Year, or oftner if He please; but is not now bound to do so by the old

old Statute, any more than you are bound by the old Lease, after a new one made of the same thing. To make this matter more plain, I will give you another instance to this purpose, according to what a Reverend Father in the Law sayes, Examples do not perplex, but clear the point.

Suppose, you and I should make an Agreement in writing, that you should call at my House once a Year; and afterwards by another Agreement, Reciting the former Agreement, whereby you were obliged to call once a Year, we agree that for the future, you shall not omit calling once in three Years; Surely, you would not think your self after this last Agreement obliged to call every Year.

Just so, it is in the Kings case, as to those Statutes of *Edw.* the 3d. for a Statute is but an Agreement between the King and His two Houses of Parliament; and whereas by the Statute of the 4 *Edw.* 3. *cap.* 14. It is mentioned, that it was Accorded that the Parliament should be holden every Year once, and oftner if need be, and by the Statute of 36. *Ed.* 3. *cap.* 10. to the like effect; & afterwards his now Majesty and both Houses of Parliament in the Sixteenth Year of His Reign, come to a new Agreement touching Parliaments, thereby Reciting the said Statutes of *Edward* the 3d. and do Agree that Parliaments shall not be discontinued above three Years; Doubtless, this last Statute and Agreement is by Implication of Law a Repeal of the Statutes of *Edw.* the 3d. as to calling Parliaments once a Year, and is as much in effect, as if it had been mentioned in the last Statute, that notwithstanding, the said Statutes of *Edw.* the 3d. it is sufficient if the King calls a Parliament once in three Years: and moreover, this last Statute, that Parliaments should not be discontinued above three Years, had been a vain Statute, as to that particular, if after this was made, the King was still obliged to call a Parliament every year; & it is almost Sacriledge in some cases to think
that

that the Parliament should offer any thing that's vain to the King; and by your pardon Sir, there be other maxims in Law, (*viz.*) *Leges posteriores priores contrarias abrogant*, later Laws differing from the former do make the former void: and *Lex nil frustra facit*, the Law, (or if you please the Legislative Authority) doth nothing in vain; which maxims I must tell you had been of better use in the Exposition of those Statutes of *Edw.* the 3d. than your notions of a firmatory Law, for it had been in vain to have made a Statute that required Parliaments every three Years, if they intended the other should be in force: And I conceive it may with better Reason be affirmed, that a wilful publishing that the King hath neglected the Law, especially when he hath not, is a publishing of words to stir up the People to a dislike of His Majesties Person and Government; and in my judgment affirms you an Offender within the Statute of 13 *Ca.* 2. *cap.* 1. though you very confidently, like the rest of your Gang, in the close of your darling Postscript, say you were moved to what is there set down, by nothing but a hearty Love and Affection to the King; but I hope neither His Majesty, nor any of His Loyal Subjects will believe you nor them any more.

To convince you further of your Error, that the King hath not neglected those Laws of *Edw.* the 3d. as to calling Parliaments, for by the first of the Laws, that is, the 4. of *Edw.* the 3d. *cap.* 14. It is not absolutely required, that a Parliament should be held once every Year, but it is conditionally, if need should require; which you deceitfully omit to mention in the charge upon the King, for you well knew it was the King was the judge when need required a Parliament: and this may the better appear, because from the next Year that Statute was made, *viz.* that 5. of *Edward* the 3d. there was a discontinuance of Parliaments until the 9th. and the other Act of the 36 of *Edw.* the 3d.

cap. 10. sayes Parliaments shall be held once a Year, as at another time was ordained that is, under the same condition as the other Statute was; but perhaps after all this you may be that Fool, that though bray'd in a Morter, would not forsake his folly.

• The next thing I have taken notice of in your Postscript, and which I suppose was the main matter and drift thereof, (and to maintain it, you have used the best of your skill) is another Conclusion of yours drawn, I dare say, (for your Credit be it known) only from your own mere natural parts and notions; for I am sure it cannot be either from Divine Precept or Example, Humane Experience of past Ages, nor the present practice of any considerable part of the World, of which I have taken some consideration, and it is that which you set down in *page* the 43. of the Postscript line the 14. that the Succession of the Crown is Hereditary, because the People so appointed it, would have it so, or consented to have it so, yet (as you say) in a particular Case, for saving the Nation forsooth, when (by the by it is in no danger) the whole Line and Monarchy it self may be altered by the unlimited power of the Legislative Authority: but Suppose the Nation were in such danger as you say (which I shall manifest to the World it is not.) I hope no King of *England* (which you your self admit to have a part in the Legislative Authority) will ever make a Law (though the Parliament should desire it) either to alter the Government of Monarchy in this Kingdom, nor the Succession thereof, till they see the Nation cannot be saved without it, or find greater Cause and better Reasons for it than the World ever yet produced; though your Fools Bolt Sir is already shot, but hath missed the mark you aimed at: And I hope will ever do so.

In order to maintain your Assertions, you inveigh extremely against those that affirm Kingly Government to be of Divine Right and Institution; for which I must say, the
World

World affords more Arguments, and far more convincing than any you have Coyn'd against it. However I will add my mite to the Mint, and more than that, I dare enter the Lists to maintain it against you that Kingly Government, yea Hereditary Kingly Government, is the only Government of Divine Institution in the World.

My Reasons for it shall follow, but in the first place I will propose you are no Atheist, and that you will not deny but that God is the Supream King and Governour of all things, and that he takes some care of the World, and knows best by what ways and methods to Govern it, and that what he ordains is of Divine Institution; for it is a maxim in Logick, *quod contra negantem Principium non est disputandum*, There's no Reasoning with such as will not admit fundamental Truths, no more than any buildings (unless Castles in the Air) can be raised without laying a foundation.

These premises being admitted, which I know you will not gainsay, whatever you think, I would represent to your observation, that when God had that great Work to do, both to govern and deliver out of Captivity his, own peculiar People the *Jews*, and to redeem them out of the power of a mighty King, he chose them a King, *Moses*, who none will deny to be a King, that knows what belongs to the Office and Power of a King; although he was not named a King, for he as only Supream under God by Gods own appointment (not by the Peoples Election) exercised all the Offices of a King over that People, he was their chief Captain, and their chief Judge, and so were all his Successors after him that went by the name of Judges, they were Kings and Sovereigns in their turns, and were then called Judges; as I conceive *propter Excellentiam*, because it is the chief part of a Kings Office by himself and his Deputies to Administer Justice between his Subjects:

and in those dayes, and long before, most Kings were called Judges; though of latter times the word is applicable to the inferiour Magistrates only. God himself is called the Judge of all the Earth, as well as the King of Kings.

That the Judges of *Israel* that succeeded *Moses* might as well have been called Kings as Judges, will plainly appear if we consider the signification of the word King, and the Offices and Powers exercised by those Judges; as to the word King, it signifies him that hath the highest Power and Command in a Countrey, and those Judges in their turns, and but one at once and during his life, exercised all the power of a King, they commanded the Officers of the people and judged *Israel*. And I would also note unto you, that most of them were chosen by God himself, and but very rarely by the people, and when ever they did usurp upon Gods Prerogative in that particular; as they did when of their own accord they chose *Abimeleck* the base Son of *Jerubbaal*, it soon happened that they fell a Butchering one another, and thereby reduced themselves to such a confused state for want of a Rightfully Constituted King or Judge that they were brought to the brink of Ruin; and so it happen'd to them alwayes when they transgressed in that nature: but still upon Recantation, and seeking to God he would vouchsafe to choose them a King then called a Judge, and whilst they could keep such a Judge they did well enough. Yet after a little Prosperity they were still apt to return to their licentious Liberty, and after this rate did they continue for about Four hundred Years; but at length it was brought to that pass by their perverse self-conceitedness that God had quite forsaken them: and whereas formerly God did often Converse with their Prophets (as one man doth with another by word of mouth) and directed them, they rejected his directions and depended only on their own Policy, so that God withdrew his
favour

favour from them for a long time: And in the Third of the first of *Samuel* you will find it Recorded, that there was no open Vision in those days, but in a while after God was pleased to Reveal himself again to *Samuel*, and to advise him how to Retrive and Govern those almost lost People. And forasmuch as soon after they asked for a King, and that it is there said, that God was angry with them for it, and forasmuch as that passage is made use of by some as an Argument against Kingly Government, I cannot omit shewing unto you, that God was not against their having any King at all, but the displeasure was, because they would at that very time have another Governour or King than God had set over them, which was *Samuel*. Such a Feeble old man as he, according to their understanding, was not fit to Govern them, they did not at all regard it, that God was with him. And this was the cause of the Anger, as appears by the sequel of the Story; For says God to *Samuel*, They have not rejected thee, but me have they rejected. And this I do the more firmly believe to be the true meaning of that passage and reason of Gods Anger, for God designed long before that time that they should have a King, and consequently should be Governed by a Kingly Government; though you say page 36. That it was a Government of their own choice, for in *Numb.* 24. verse the 7. The Prophet *Balaam* foretelling the prosperity of *Israel*, says that the King of *Israel* should be higher than *Agag* the King of the *Amalekites*, and *Dent.* 17. verse 14. God gives *Israel* these Directions, When thou art come into the Land which the Lord thy God giveth thee, verse 15. *thou shalt in any wise set him King over thee whom the Lord thy God shall choose*, not whom they would themselves: with Directions in that Chapter, how their King should behave himself and his Sons after him; so that if there had not been a King designed for them by God himself, sometime or other

that Propheſie of the Prophet *Balaam* could never have been fulfilled, and the Directions who ſhould be King, and how he was to behave himſelf, and upon what terms he and his Sons after him were to enjoy the Crown had been in vain; whereby it is moſt manifeſt that the mere deſiring of a King as ſome would have it was not the fault, but deſiring a new King at an undue time, deſiring a King, not chooſing one themſelves, which had they done, had been a greater fault by much.

Another Reaſon that makes me of belief, that the meer asking of a King, had it been at a due time, had been no Offence; becauſe God was not long angry, nor did he long withſtand their deſires, but ſoon after commanded *Samuel* to hearken to the people and give them a King; but this King was to be of Gods chooſing, not of their own chooſing as you falſely affirm, *page 36.* for God himſelf told *Samuel* that *Saul* ſhould be the man, and cauſed him to be Anointed before the people knew ought thereof, and afterwards God directed the Lot according to his own Predeſtination and fore-appointment; and when *Samuel* preſented him to the people as choſe by God, they made no more ado but ſubmitted to the choice, *and ſtouted and cryed, God ſave the King;* yet ſome Sons of *Belial* there were in thoſe days that did not like the choice, all which proceedings you may find in the Eighth of the firſt of *Samuel*.

Saul being thus Eſtabliſhed, and a Succeſſor thought of, for as yet the Succeſſion of Monarchy was not ſettled: *Samuel* by Gods ſpecial appointment, and of his own meer motion without any Requeſt from the people, choſe *David* to be *Sauls* Succeſſor, and in him did God make Monarchy Hereditary, and Eſtabliſhed it ſo as you may ſee in the Second of *Samuel* 7. 12. by ſaying to *David* in this manner, *when thy days be fulfilled, and thou ſhalt ſleep with thy Fathers, I will ſet up thy Seed after thee; and verſe the 16. thy Houſe*
and

and thy Kingdom shall be Established before me for ever, and in another place, the Scepter shall not depart from Judah until Shiloe come. Here's no Proviso, that the people should alter the Succession; that was to be done by none but God himself or by his special Command, a clear instance whereof soon happened, for when *David* was Bed-ridden as it were, and every day expected Death; *Adonijah* one of *David's* Sons by the Mother of *Abolom*, Exalted himself, saying *I will be King*, 1st. of the 1st. of Kings, and prepared him Chariots and Horses, and Fifty men to run before him, and made great Feasts, at which the people and Captains of the Hosts cryed, *God save King Adonijah*; yet God and old *David* said *Solomon* should be King, and was so; wherein is observable this thing further, that God who foreknew without doubt that *Solomon* in his latter days would set up Idolatry; yet he did not punish him beforehand; he did not pronounce the sentence against him, that the Kingdom should be rended from him; nor was there any Bill of Exclusion against him, until he had actually committed the Offence, which Offence was not only that himself privately had Committed Idolatry; but that he had also publicly encouraged the people thereunto, by setting up high places to sacrifice to *Kemos* and *Moloch* as appeareth in the Eleventh of the First of Kings; and pray note further, when this sentence came to be Executed, and ten Tribes were given to *Jeroboam*, there was not a blow struck on either side, from whence you may take notice by the by, that God did not require the assistance of Rebellion or Seditious scriblers to effect those works, and it cannot be said that Gods Arm is shortned now more than at other times.

I conceive Gods Example is as obliging as his Precepts, and that if we imitate him, we shall never do amiss; it is therefore Argument sufficient that Monarchy, yea Hereditary Monarchy is most agreeable to his will of any Government

ment whatsoever, because he Established it himself amongst his own peculiar people, and since he did so, and so frequently commanded Obedience to it, I wonder how any man can say that Hereditary Monarchy is not of Divine Institution: or having said so, can suppose he should be believed; and methinks you your self seem diffident that there would not be much credit given to your Hypothesis, and therefore you make Provision as well as you can against the universal approbation and embracing of that sort of Government; and would endeavour to make the World believe it was a Government peculiar to the *Jews* only, for you say page the 36. That the *Jews* form of Government ought with less Reason to be the rule of all Kingly Governours, because it was a Government chosen by themselves; than the Laws of the *Jews* ought to be the Laws of all Nations which they are not. These are the words of the Postscript.

I have already shewed, that you were mistaken in affirming that the Monarchical Government of the *Jews* was of their own choosing, for it was of Gods choosing; and as to your intimating that the Laws of the *Jews* ought not to be the Laws of all Nations; there you ought to have distinguished, for though the Law of not eating Swines flesh was only peculiar to those people in respect of the Climate they lived in, for that it inclined the Inhabitants of that Countrey to Leprosie, and therefore was never intended to be an universal Law; and the Ceremonial Law of the *Jews* is now out of doors, because it consisted of Types of Christ coming, who is now come, and therefore the Types of his coming are useles; yet the Moral Law of God the Ten Commandments which were Laws to the *Jews*, ought to be Laws all the World over, and are so taken, and they are Everlasting and Immutable as well as universal Laws; but there is no Rational consequence in your Argument, if

I should admit that all the Laws of the *Jews* had been peculiar to themselves only, for though their Laws might not be Laws for all the World to follow, yet Gods method in enforcing the *Jews* to obedience to these Laws, might upon good reason be thought a good precedent to be followed to enforce obedience to other Laws.

There is a great difference between Laws and Government, though you seem to make the same Rule for both, for Laws are Rules for men to walk by, and Government is the exercise of the means and methods to enforce men to walk by those Rules; and though some Laws of one Countrey may not be convenient for another; yet the means and method to enforce obedience to those Laws which are best, are the best; the Ore in all Countreys is not alike good, but that which is the Universal best way of refining it, is so, whether the refining be in *England* or *Scotland*; so that if the *Jews* were best Governed according to their Laws by an Hereditary Monarchy, I can see no reason why the *English* should not be best Govern'd according to their Laws by an Hereditary Monarchy also.

It is not only God's example in governing the particular people the *Jews*, but they are his general Precepts that intimate his good liking of Monarchy all the World over, for *fear God*, and *honour the King*, are general and universal Commands not limited nor restrained to any particular Place or People, and they have so close a Connexion, and are plac'd so near together, that it seems to imply as much as that, if you fear God you will honour the King, and that God requires the one from us as well as the other: many places of Holy Writ requires our obedience to Kings as Supream, and to Governours under them, but I find not a tittle that requires obedience to any other sort of Government where there is not a King, I find no approbation of such as the Kingless Keepers of the Liberty of *England*

or other place; *Hogen-Mogen* States of the United Provinces, Burgo-Masters of *Venice* or *Geneva*, or such like; such Governments seem to be quite out of Gods care or regard, and therefore not to be regarded by good men, nor to be look'd upon to be of Divine Institution, having neither Divine Precept nor Example to Countenance them.

But though I take Monarchy to be Hereditary by Divine Appointment, yet I cannot believe that any man of common sense, unless it be such an enemy as sowed Tares in the Wheat, or some false friend that will affirm that by Divine Right and Institution, a King may Tyrannize over his Subjects, or impose unreasonable and unjust things upon them for Law; but I humbly conceive Kings are obliged to observe the Laws of God and Nature, and are bound truly, and it is their duty to govern according to those Laws, and the Laws Rightfully made by themselves and Predecessors, which are not contrary to the Laws of God, as you may see in the forementioned 17. of *Deut.* and very plentifully in Scripture elsewhere: but if a King breaks any of those Laws, he is not punishable by his Subjects, but God assumes that to himself, and it is sufficient punishment, for it is a woful case to fall into the hand of the Lord when angry.

Descend we now to Natural Reason, and consider what that dictates to us in this matter, it being sufficiently demonstrated, that Monarchy is of Divine Institution by what is before-mentioned, but put case there were nothing touching it in Divinity one way or other, hath not the experience and practice of the World for some thousand of years inform'd us, that an Hereditary Monarchy is the best sort of Government for the People, in reference to the support of Human Society? Have not all Philosophers and Politicians of any note left their Opinions to posterity that it is so? Hath not Monarchy been the settled Government of this Kingdom

Kingdom for so many Centuries of years? And are not our Chronicles so plain in the point, that no considerable mischief ever befell us but by interrupting Hereditary Succession of the Crown, and that that mischief hath been of no less consequence than the ruin of the then Inhabitants? and shall such Mushrooms as you pretend to say, that not only the Line of Succession but Monarchy it self may be alter'd? because such Ignoramus's in Politicks know no other way of saving a Nation from drowning but by casting it into the fire? We have had warning sufficient, I hope not to be gul'd with any such whim-whams any more. But because nothing less at present than the alteration of the Succession or of Monarchy it self would serve your turn to keep out Popery, I will for your satisfaction, if it be possible, and if your understanding and honesty will bear it, make it plain, in a few words that we are as safe and secure against Popery, as the Art of man can make us, and that we want nothing but what is Gods own work to secure us from Popery so long as we stick close to and maintain the Hereditary Succession of the Crown, though we should happen to see a Popish Successor; and the way to perfect the work and to prevail with God to do what doth belong to him, is by Prayers and Penitence, not by Sedition and Rebellion.

If ever Popery should be establish'd in *England*, I speak in reference to what lies in the power of men, it must be either by Military force or by Law, the Military force must be either home force, or foreign force; by home force it can never be, though the King were a Papist, because the whole Nation is averse to it, and very violent against it, except a very inconsiderable number, who if they should offer the least look that way, they would be devoured as a hungry Lyon would devour a new fallen Lamb, and as to foreign force the only way to subject us to it, is to divide us

into two considerable Parties, and then to engage us in the Slaughter of each other, which would most assuredly be the consequence of setting a side of any of the Royal Family from their turn of Succession. And of this the Kingdom can give many sad instances; I shall mention only that of Deposing *Richard II.* and setting the Crown upon *Henry the Fourth*, though by Act of Parliament, and with *Richard the Second's* seeming (but forc'd) consent, which produced such miserable Wars between the Heirs and Favourers of both Kings, as rendred the Kingdom a meer Slaughter-house for the most part of fourscore years, in which time the number of the slain is uncertain, but if we may guess at *Hercules's* body by the length of his foot, their number must be very vast, for I find there was slain upon that occasion in one Battle thirty six thousand seven hundred, threescore and sixteen Persons; and all the Arts and Acts of Parliament afterwards, which were many, and which played handy-dandy with the Crown, acting it one while upon one, then upon another, could never settle affairs till it had pleas'd God to do it by ordering the matter so, that the Heirs of both Families were, one of them a Man, and the other a Woman, and that these did marry one another whose Nuptial Feasts lull'd the Nation into a pacifick slumber, and put an end to those unhappy Troules, and *England* once again enjoy'd a blessed peace, until another unparallel'd Usurpation upon the Crown, by the seeming sanctified Parliament in King *Charles the First* his time, which can never be forgot, though you are angry it is not. These Instances should be caution enough to any reasonable men, not to invade Gods Prerogative, and interrupt the Hereditary Succession of the Crown, but leave it to its due and establish'd course of Descent.

I am confident scarce any man of sense believes but that if ever hereafter (in our days especially) it should hap-
pen

pen that the next in Succession to the Crown by course of descent should be put by, though by Act of Parliament it would produce as sad effects as ever it did; and it is not improbable but our Popish Neighbours (who are more Potent now than ever) would lay hold on such an opportunity: the *French* King, as I am credibly inform'd, having now a standing and established Army of two hundred thousand men or more, how easie then would it be for him, when we had mangled, torn and destroyed the greatest part of our selves, to make himself Master of the wearied surviving Party, and then Impose upon them his own Popish Religion? So that to me nothing seems so ready a way to introduce Popery as altering the Succession of the Crown out of its Lineal Course of Descent, unless it be by suffering Conventicles, where men teach, and the scrupulous Brotherhood learn with greediness any manner of Doctrine, specially the lawfulness of King-killing, and Rebellion, to propagate their Heresies, Sects and Schisms.

Hence I may say, it is very evident that by force of Arms Popery can never be settled here so long as the Succession of the Crown is kept in the due course of Descent, and it may be made as manifestly appear, that it can never be introduc'd by Law, though there were a Popish Successor; for though the King be the Law-maker, yet his power is so limited and restrained by the Law of Usage and Custom, that he can make no new Law without the consent of his Parliament; and the Law as it is, is Provisional enough to prevent the Papists acting to any prejudice. For as the Law now is, no man is to be a Member in either House of Parliament unless he upon Oath renounce Popery, and take the Oath of Allegiance and Supremacy; nor can any man practise the Law, Physick, Chyrurgery, the Art of an Apothecary, or any Liberal Science for gain, unless he renounce Popery, and take the Oaths of Allegiance and Supremacy: No man can
be

be Ordained a Minister of the Gospel, or permitted to Preach in a Church, unless he Renounce Popery; but at a Conventicle be he Papist or be he Turk, or Jew, or what he will, he may Preach there any manner of Doctrine, and the People are angry if they be interrupted. So that we are in danger of being taught no Popery in Pulpits, unless among the Lawless Conventicles, whose Teachers, if the Law be put in Execution against their Disciples, will have but few Hearers; and if all this be not enough his Majesty was Graciously pleased to assure us that he would make any new Law to secure us from Popery: Yea, even to the restraining of a Popish Successor, so that the Succession of the Crown were not put out of its Lineal Course of Descent, and I dare say the great Gown-man whoever he was whose Opinion (as some say) so far sway'd the Commons, that they thought no Law could sufficiently secure us against a supposed Popish Successor, but Exclusion from the Succession, could not really be of that mind; for a King can do no great harm, he is but one man, and if he should in his own Person attempt to offer any unjust violence to any man, it is an easie matter to fly from him, and that without imputation of Cowardise, it being upon no account justifiable to resist the Kings Person with force, but if any man (Officer or other) should by the Kings Command, kill, wound or beat any man that doth not obstinately refuse to answer his charge by course of Law, before he is Convicted of the Fact by Verdict of his Peers or Equals, or by his own Confession, and before he is sentenc'd by a Judg for that purpose lawfully Authorised; he that should so do, is punishable notwithstanding such Command: and moreover though the King by his Prerogative Royal may lawfully cause any man to be Imprisoned in order to come to Tryal, yet if in the Commitment it appear not to be for Treason or Felony specially nam'd, he must be bayl'd by the Judg,

and

and though Imprison'd for any of those offences, yet he is to continue in Prison but until he may be Try'd by due Course of Law ; but unto the Kings Legal Commands in a Judicial way, the whole Strength and Power of the Nation is bound to assist in compelling Obedience thereunto, be his Commands signified by Himself or by his Magistrates and Judges in his Name, who are sworn to do therein as the Law requires, and not otherwise, so that the King hath all Power to do lawful things lawfully ; yet to do any thing illegally, he hath so little Power, that it is truly said the King can do no wrong : and besides all this, every King at his Coronation takes an Oath to confirm the Laws to his People, to maintain the Gospel established in the Kingdom, to keep Peace, execute Justice, and grant the Commons their rightful Customs (be his own Religion what it will.) So that here's all the Bars and Bolts imaginable to keep out Popery from being imposed on the People of *England*, whatever the Kings Religion be, which those do not well consider, that compare these days with those of *Queen Mary*, which were long before any of these Laws before-mentioned were made, and when Reformation was but scarce begun by her Father towards the later end of his Reign, and countenanced, but not much improv'd by her Brother who died an Infant King ; and when that Queen came to the Crown, it cannot be supposed that the tenth part of the Nation were Converts from Popery, as appears by what then hapned, for she soon got a Popish Parliament, who as soon submitted themselves to the Pope, and asked Pardon for their offences against him, and declared themselves ready to abrogate all Laws prejudicial to the See of *Rome* : but the Case is alter'd now. Here's no Popish Members can be elected, the whole Nation being almost Protestants, and consequently will elect no Papist, nor one suspected to be so ; or if any such should chance to be so elected, yet no such

such Popish Member is to be admitted into Parliament. So here's no Popish Parliament can be that should consent to make Laws in favour of Popery, nor can there be any Popish Magistrates admitted that should favour the Papists by omitting to execute the Laws against them. Nor is there any Priests that should persuade them to Popery to be heard among us, unless in Conventicles; so that here's no room by Law for Popery sure in *England*, nor ever can be if we keep to the course we are in, and gaze not after changes in the Government, or suffer our selves to be frightened with shadows, so far as to depend more upon dishonest Policy than Gods Providence and honest Prudence.

But suppose that Originally the Succession of the Crown were in the people; yet in the same breath you contradict your self, by saying, it is so now; for you say also, that they have appointed and consented that it should be Hereditary. Is not a Bargain a Bargain? Do you think they can Revoke this Agreement at pleasure? I think there is no Law for that.

That the people of *England*, both in this and former Ages as far as an Oath Established by Act of Parliament can oblige, (which I think no man will say, but it is the greatest obligation in the World) have or ought to have bound themselves that the Succession of the Crown shall be Hereditary.

The Oath of Allegiance Established (by the Legislative Authority in your own Notion) and by the Statute 3. Jac. and 4. and elsewhere, so frequently obliged to be taken, is in these words, viz. *That we will bear faith and true Allegiance to his Majesty, His Heirs and Successors, and him and them will defend to the utmost of our power against all Conspiracies and Attempts whatsoever, which shall be made against his or their persons, &c.*

Now for a little Exposition upon the Text, for nothing can be so plain, but some may invert the sense of it, since some wrest even the Scriptures to their own Damnation, and yet go according to their Consciences still, such as their nature is, such is their Logick: the *Spider* draws Poyson from the same Flower that the *Bee* gathers Honey.

First, I shall observe only, That the Statute which appoints this Oath of Allegiance was made since the Statute of the 13. of Queen *Elizabeth*, which made it an Offence to say the Queen by Authority of Parliament could not limit the Descent of the Crown, and if the said Statute that appoints the said Oath, by such appointment, hath so limited and settled the Descent and Succession of the Crown, that I cannot perceive how now it can be justly altered: for demonstration whereof it is requisite, the signification of the word *Heirs* be rightfully understood; this word *Heirs*, is in our English Dialect the same the Latins called, *Heredes Sanguinis*, Heirs of the Blood, not adopted Heirs, still the next of kin to the Deceased Successively one after the other for ever; for though a Father should give away his Estate from his Eldest Son; yet he is Heir, though a disinherited one, and though men dispose of their Lands as they think fit: Yet, *Deus facit Heredes*, God makes Heirs; and I take the meaning of the word *Heirs* in that Oath to be no other than the next of Kin to the deceased King, and the joyning of Successors to Heirs is capable of, (or at leastwise in the common sense and understanding thereof, which is the sense it ought to be taken there, can have) no other construction, but that the Kings Heirs shall be his Successors for ever, and that we shall pay the same Allegiance to the Kings Heirs in their turns, as we do to them; but you say the unlimited power of the Legislative Authority can do any thing, alter Succession, yea Monarchy it self

D

even

even at the very day that you wrote the Postscript; without Controversie the power of the Legislative Authority is very great, but I must distinguish between what may be done, and what may be justly done. If Monarchy or the Succession thereof should be altered by the Legislative power, as it was by a Part of the Legislative Authority in dismal 48. and as is apparent some wish it should again; It doth not therefore follow, that it should be just to do so any more; for whatsoever is contrary to the Eternal Law of God, though commanded by the Legislative Authority, is unjust: and though the Legislative Authority may be of that power and force as to compel Obedience to their Laws; yet they can never make Vice a Vertue, or give Sanctity to a thing that is *malum in se*, evil in it's very nature and essence.

By the Oath of Allegiance we declare, that we do plainly and sincerely swear according to the express words there set down; and according to the plain and common sense and understanding of these words. If so, by *Heirs* there, must be meant, the same that is meant thereby according to the common sense, in common discourse; and according to that sense then, by Heirs is meant the next of Kin; for when we enquire who is such a mans Heir, we mean who is next of Kin to him. But oh, say you and the new-true Protestants, the Succession of the Crown was not intended to be so absolutely limited to the Heirs, but that if the Parliament thought fit to appoint another that is not the real Heir, he must be the man.

This is a very vain idle and empty Hypothesis, and a meer groundless supposition, for the Oath it self restrains the meaning of the words to their common sense and understanding, and renounces all manner of mental evasion or reservation whatsoever: so here's no reservation for an
obje-

objection against the Heir, neither as to his Religion or Person.

Here I have shewed you Gods Example of Establishing an Hereditary Monarchy, and his precepts to obey it; in no place in Divinity, do I find a power given from God to the people to alter it at pleasure, or when they think fit upon any pretence whatsoever; here's also an Oath of Obedience required by Act of Parliament from all people to stand to, and defend the Hereditary Succession of the Crown; here's also in that Oath a Renuntiation of all Pardons and Absolutions from that Oath: and an Explanation, that it is to be understood according to the common sense and meaning of the words, and this Oath is or ought to be taken by all people in the Kingdom: How justifiable then would it be in the Legislative power to Act Counter to all these, and having once required us to swear fidelity to an Hereditary Successor, and to renounce all Absolutions from that Oath; yet afterwards to compel us to swear fidelity to one that is not the Hereditary Successor? *Dic quibus in terris & eris mihi magnus Apollo*, from such Legislative power as despise Gods Example, Reject his Providence and will engage a whole Nation to forswear themselves rather than use other means to Restrain even a Popish Successor, *Good Lord deliver me.*

As to this point of Succession, I shall add what I find Recommended by Mr. *Prin* in his Preface to *Cottons Records*, fol. 10. Observe 14 Kings (says he) Created and set up merely by Parliaments and their own power in them without any true Hereditary Title, have seldom answered the Lords and Commons Expectations in the preservation of their just Laws, Liberties and Answers to Petitions; yea themselves branded at last for Tyrants, Traytors, Mur-

derers, Usurpers, their Posterity Impeached of High Treasons, and disinherited of the Crown.

He says also, that as Parliaments are the best of all Courts and Councils when duely Summon'd, Conven'd, Constituted, Ordered and kept within their legal bounds. So says he, they become the greatest mischief and Grievance to the Kingdom, when like the Ocean they overflow their Banks, or degenerate and become (through Sedition, Faction, Malice, Fear or Infatuation by Divine Justice) promoters of corrupt sinister ends; or accomplishers of private designs, and ambitious interests of particular persons under the pretence of publick Reformation, Liberty, Safety, Settlement, according to that of *Jeremiah 19, 13, 14. The Council of the wise Counsellors of Pharaoh is become Brutish; The Princes of Zoan are become Fools.* So that we may justly conclude with that of *Psalm 118. 8. and 9. It is better to trust in God, than to put confidence in Princes;* yea in Parliaments, as to the Succession of Kings. For God says, by me Kings reign, and claims it as his Prerogative, to turn their hearts as he sees fit: and yet poor silly (if but Protestant) Joyners think to Usurp and Controul Gods power, and providence in that matter. Mr. *Prin* (a man of great experience, and perhaps in the beginning as bad as some others) when old age made him wise says further, that the sad Domestick experiments we have seen and heard ought to wean us from Idolizing of, or overmuch confiding in Parliaments, which have been so subject to Errors and Deviations.

If Faith be the gift of God (as doubtless it is) there is no way to secure us from Popish Successors, but by Prayers and Penitence; Petition and Rebellion will never do it, as I said, once before.

Let

Let us trust God, rather than use unjust means to secure even Religion it self; let us give the King, His Heirs and Successors their due, let us not Murther our selves to day, because we fear we shall dye to morrow; for no man knows what a day may produce. Just means may be used to prevent a mischief, but on the other hand be not over-righteous. My Son be not over-wise, for why shouldst thou destroy thy self? a stupid carelesness, and overmuch scrupulosity, are equally bad. Why should we distrust God that Converted *Henry 8.* from Popery, when there was not one in a hundred, one in a thousand in his Kingdom Protestants, that he cannot if it be his pleasure Convert a Popish Successor; when there is not in the Kingdom one for Ten thousand that is a Papist? Oh foolish Galatians, who hath bewitched you, if you mistrust God in what he hath declared, he hath in a special manner taken upon himself to do? Can you expect any other than that he should remove his Candlestick from you, and suffer you to wander in the darkness of your own fond Imaginations?

By submitting to the Hereditary Succession of the Crown, if there were no Example of such Establishment by God himself, it is plain we submit it to Gods appointment, who shall be the Successor, there being so many actings of Divine Providence, which tend to appoint and order who shall be the next of Kin to any one at his death, that nothing but the mere hand of God can bring it to pass. Issue is not always the product of the nuptial Bed and Conception (to any considering man) is as miraculous as the first Creation; and after that how many Accidents is the Child subject to, before it comes to maturity, and then how long it shall continue is the mere Act of God? So that these men that would scale Heaven, bound and limit the Providence of God as to this matter of Succession, may expect
such

such another Doom, as the ambitious Tower-Builders had, confusion of Tongues, yea and Senses to.

And as to the Scrupulous Brotherhood, Recommend me to them, and let them know, that I dare affirm their Teachers are most of them Jesuits; the true Papists in Masquerade, who instead of Preaching Peace, incite the people by a side-wind to Rebellion: and let them know also, That I desire to know of those seeming tender Conscienced Dissenters what Answer they will make at the great Tribunal, when it shall be askt them why they occasioned the Murthering of their King, put three Nations together by the Ears, made them suck each others Hearts blood out, Rob, Ravish and Burn? for that hath once been the consequence of their Scrupulosity, and may be so again, if they be not prevented. Do you and they think it will be a sufficient excuse to say, we could not hear a man Preach in white sleeves; we had more kindness for one in a little round Cloak; we could not look upon the Minister making the sign of the Cross in Baptism, or we were loth lest we should spoil our silk Stockings, to kneel at the Sacrament; for our Consciences told us, he was the finer man that Pray'd and Preach'd without Book, by the help of the Spirit (whither good or bad) than he that well weighed and considered what he should say before he spoke, though we are commanded not to be hasty to utter any thing before God. Sure these reasons will never excuse them; the rather for that they themselves acknowledge that they are but indifferent things in their own nature wherein they dissent from the Government; and being so, they are the more to blame that dissent, and there is greater reason that they should comply with the Government, than that the Government should truckle to every Humorist: You say well, in that you say there is nothing more exposeth the

Au-

Authority of Government to contempt, than a publick and open neglect of its Injunctions; therefore I do heartly wish our Magistrates would use civil force and power as far as by Law they may, to enforce Obedience to the Laws both in Church and State; and like good wise Parents give their stubborn Children the Rod of Correction in due time before they grow too head-strong.

I had almost omitted to say any thing touching Usurpers, which I conceive may be very material, for it is not enough to know who hath right to the Crown at the Decease of a King: but it behoves us also to know how to prevent or remove Usurpers, in case any such should happen, and for that purpose I cannot but inform you, that in my reading I find mention made of two sorts of Tyrannical Monarchs; one sort of Tyrant is he who of his own Authority taketh upon him the Sovereignty by the Assistance of some loose irregular Party, without right, and this sort of Tyrant is he who by the Laws and Writings of the Ancients is commanded to be kil'd, with promise of ample Rewards to such as should do it; in this case making no difference, whether he be a good man or a wicked one, for it is not lawful for any man living of himself, or by the Assistance or incitement of any Faction or discontented Party, without good right to invade the Sovereignty, and to make himself Master of his fellows; what colour soever of Vertue, Justice, Religion or Reformation he pretends, in plain English he deserves the worst of Deaths that doth it. In this only case it is lawful to proceed according to the Course once known in *England* by the name of *Abbington-Law*, that is to hang them first, and try them after. And this manner of proceeding in case of an Usurper was once Established by Law among the *Romans* by the name of the Law *Valeria*; and thereby leave was given to every man to slay such Tyrant

Tyrant without Tryal. For in such a case to proceed by way of formal Legal Justice, the Commonwealth would be consumed with the Firebrands of Usurpation before they could be quenched; and besides, it was impossible to bring such formally to Justice: for who could in a Judicial way call to account such a one as *Oliver Cromwell* in the Head of his Conquering Army; therefore it was thought better in such a case to suppress the Tyrant by force, or stratagem, rather than by too nice insisting upon the Regularities of proceedings by Law, lose both the Law and the State also. And when I consider this, I cannot but say it was much to the disreputation of the old *English* Cavaliers, considering how many indigent Officers did appear at his now Majesties Restauration, that none of them had the courage by Dagger or Pistol, to cut off that Usurping King-killing Tyrant **NOLL**. But on the other hand, this course is by no means justifiable but in case of an Usurper, not in case of a Sovereign Prince that is lawfully established and settled, or hath right to the Sovereignty either by special call from God, as *Saul* and *David*, or by right of Hereditary Succession, as the Heirs of the Kings of *England*, *Spain*, *France*, *Turkey*, *Russia*, and all the Countries of *Africa*, &c. I say in such cases that course is by no means to be thought upon, for though perchance (which falls out rarely) that such a lawful Prince forgetting his duty should become beyond measure, cruel, covetous and wicked, perverting both the Laws of God and man (which is the other sort of Tyrant) his Person ought by no means to be touch'd, for God commands, *Touch not my anointed*.

The want of making a distinction between these two sorts of Tyrants hath led many into great mistakes, holding it lawful for Subjects to rise up in Arms against any sort of Tyrant; a conclusion of a most dangerous and destructive, as well as irreligious, consequence: For where that Opini-
on

on hath got any footing, seditious and ambitious Men will never fail to scandalize the best of Princes, thereby to provoke the People to Rebellion, that these few Villains may reap some profit to themselves by the Ruin of multitudes of others; and it hath been often experienced, that Rebellion against a lawful Prince, though ever so cruel, hath caused more mischief than could possibly have hapned had such a one been suffered for his time, even in Kingdoms where Kings had more power to do evil than here they have. So that in Human Prudence, as well as in obedience to Divine Precepts, and for our own Oaths sake, it is most safe for us to be firm in our Allegiance to our Kings and their Heirs: and as to what may happen upon failure of Heirs, and who then shall be Successor, let it alone for those to determine that may be then concern'd; but for my part, I am resolved not to be forsworn for any Power upon Earth, for I am confident those above will never desire it: Nay more, God hath said, *He will not hold him guiltless that taketh his name in vain.*

It is said by our Saviour, *That all sins shall be forgiven men, but the sin against the Holy Ghost.*

And I have often thought wilful Perjury might be the sin against the Holy Ghost, not only from the evil consequence of it, which is dreadful, but even from the words of the Commandment that forbids it, which says, *Thou shalt not take the name of the Lord thy God in vain,* (which hath this meaning, *Thou shalt not swear falsely by his name, or affirm any thing falsely, and call God to witness the truth of it*) *for the Lord will not hold him guiltless that taketh his name in vain;* which is to be understood as if it had said, God will not pardon him that taketh his name in vain. And there is not that said of the breakers of any of the other Laws; but this I refer to the Consideration of your self and the rest of the Bill of Exclusion-men, and to all other

that make Shipwreck of their Oath, and Consciences, and let me recommend it unto you, that you pray for the Peace of our *English Jerusalem*, for they, and they only that love it, shall prosper: And that they may do so is my hearty desire, and when I am convinced you are of that temper, but not until then I shall be

Your Friend

W. W.

FINIS.

